

LEGISLATURE OF THE STATE OF IDAHO
Sixty-first Legislature First Regular Session - 2011

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 243

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO WORKER'S COMPENSATION PROCEDURES; AMENDING SECTION 72-701, IDAHO CODE, TO REMOVE AN EXCEPTION TO A REQUIRED TIME PERIOD, TO PROVIDE THAT THE GIVING OF NOTICE IS NOT REQUIRED UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE THAT THE FILING OF A CERTAIN APPLICATION SHALL ALSO CONSTITUTE A CLAIM; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 72-701, Idaho Code, be, and the same is hereby amended to read as follows:

72-701. NOTICE OF INJURY AND CLAIM FOR COMPENSATION FOR INJURY -- LIMITATIONS. No proceedings under this law shall be maintained unless a notice of the accident shall have been given to the employer as soon as practicable but not later than sixty (60) days after the happening thereof, and unless a claim for compensation with respect thereto shall have been made within one (1) year after the date of the accident or, in the case of death, then within one (1) year after such death, whether or not a claim for compensation has been made by the employee. Such notice and such claim may be made by any person claiming to be entitled to compensation or by someone in his behalf. If payments of compensation have been made voluntarily ~~or if an application requesting a hearing has been filed with the commission,~~ the giving of notice or the making of a claim within said period shall not be required. The filing with the commission of an application requesting a hearing shall also constitute a claim.

SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval.